

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No.

\$919,251.94 SEIZED FROM
THREE GROW FINANCIAL
CREDIT UNION ACCOUNTS,
A 2016 SILVER LEXUS RC 350,
AND APPROXIMATELY \$809.94
HELD IN GROW FINANCIAL CREDIT
UNION ACCOUNT 0001522160553

Defendant.

VERIFIED COMPLAINT FOR FORFEITURE *IN REM*

In accordance with Rule G(2) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Plaintiff the United States of America brings this complaint and alleges upon information and belief as follows:

NATURE OF THE ACTION

1. This is a civil action *in rem* to forfeit to the United States of America, pursuant to 18 U.S.C. § 981(a)(1)(C) and Rule G(2): (1) \$919,251.94 seized from three accounts at Grow Financial Credit Union (Grow Financial), held in the name of Ramon Christopher Blanchett; (2) a

2016 silver Lexus RC 350 registered in the name of Blanchett; and (3) approximately \$809.94 held in Blanchett's Grow Financial account number 0001522160553 (collectively, the Defendant Assets), because they constitute or are derived from proceeds traceable to a violation of 18 U.S.C. § 1343. The Defendant Assets are thus property constituting or derived from proceeds traceable to a violation of an offense constituting "specified unlawful activity" (as defined in 18 U.S.C. § 1956(c)(7)) and are subject to civil forfeiture to the United States pursuant to 18 U.S.C. § 981(a)(1)(C).

JURISDICTION AND VENUE

2. This Court has subject matter jurisdiction over an action commenced by the United States by virtue of 28 U.S.C. § 1345, and over an action for forfeiture by virtue of 28 U.S.C. § 1355.

3. This Court has *in rem* jurisdiction over the Defendant Assets because venue properly lies in the Middle District of Florida pursuant to 28 U.S.C. § 1395.

4. Venue is proper in the United States District Court for the Middle District of Florida, pursuant to 28 U.S.C. § 1395(b), because the Defendant Assets were found and seized in this district.

5. Because the \$919,251.94 and the 2016 silver Lexus RC350 are in the government's possession, custody, and control, the United States requests

that the Clerk of Court issue an arrest warrant *in rem*, upon the filing of the complaint, pursuant to Supplemental Rule G(3)(b)(1).

6. With regard to the approximately \$809.94 held in Grow Financial account number 0001522160553, the United States requests that the Court enter an order finding that probable cause exists to believe that the funds are subject to forfeiture and directing the Clerk of Court to issue an arrest warrant *in rem* for the funds.

7. The United States will then execute the warrants on the Defendant Assets pursuant to 28 U.S.C. § 1355(d) and Supplemental Rule G(3)(c).

THE DEFENDANT IN REM

8. The Defendant Assets consist of:

- (a) \$919,251.94 seized from three Grow Financial accounts held in Blanchet's name, specifically:
 - (1) \$165,727.43 from Savings Account Number 002216055,
 - (2) \$710,080.50 from Grow Financial Money Market Account Number 001022160558, and
 - (3) \$43,453.96 from Grow Financial Checking Account Number 001522160553, which were held in Blanchett's name;
- (b) a 2016 silver Lexus RC 350, registered to Blanchett and bearing Florida license plate number CGH8506; and

(c) approximately \$809.94 held in Grow Financial Checking Account Number 0001522160553.

BASIS FOR FORFEITURE

9. Pursuant to Title 18, United States Code, Section 1343, it is a crime to engage in wire fraud. That statute makes it unlawful to devise any scheme or artifice to defraud, or to obtain money by means of false or fraudulent pretenses, representations, or promises, if the person transmits or causes to be transmitted by means of wire communication in interstate or foreign commerce any writings for the purpose of executing such scheme or artifice. 18 U.S.C. § 1341.

10. The Defendant Assets are proceeds of, or traceable to, a wire fraud scheme that operated in violation of 18 U.S.C. § 1343, as described below. Because the Defendant Assets represent proceeds of a violation of 18 U.S.C. § 1343, they are subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C), which authorizes the United States to civilly forfeit any property that constitutes or is derived from proceeds traceable to a “specified unlawful activity,” as defined in 18 U.S.C. § 1956(c)(7). “Specified unlawful activity,” is defined in 18 U.S.C. § 1956(c)(7) to include offenses listed in 18 U.S.C. § 1961(1), which, in turn, includes wire fraud conducted in violation of 18 U.S.C. § 1343.

11. As required by Rule G(2)(f), the facts set forth below support a reasonable belief that the government will be able to meet its burden of proof at trial. Specifically, they support a reasonable belief that the government will be able to show by a preponderance of the evidence that the Defendant Assets are proceeds of wire fraud.

12. Specific details of the facts and circumstances supporting the forfeiture of the Defendant Assets have been provided by Internal Revenue Service, Criminal Investigations (IRS-CI) Special Agent Glenn Hayag, who states as follows:

FACTS

13. At all times relevant to this complaint, Glenn Hayag has been employed as a Special Agent with the IRS-CI. Agent Hayag is currently assigned to the Tampa Field Office where he investigates and makes arrests and seizures for offenses related to Titles 18, 26, and 31 of the United States Code. His duties include conducting complex financial investigations of individuals and businesses involving violations of the Internal Revenue laws, other fraudulent activities, and money laundering offenses.

14. On or about February 21, 2017, Blanchett electronically filed a 2016, Form 1040, Federal Income Tax Return (Form 1040). The form was self-prepared.

15. Blanchett reported wages from two Forms W-2 totaling \$18,497. Blanchett listed his occupation as “free-lancer.”

16. Blanchett also reported income tax withholding of \$1,000,000, which resulted in an income tax refund of \$980,000. Blanchett applied \$20,000 to his 2017 estimated tax.

17. The first Form W-2 for Blanchett reflected the employer as Bridges Nursing and Rehabilitation (Bridges) located at 1240 Marbella Plaza Drive, Tampa, FL 33619. Box 1 showed wages of \$17,098; Box 2 shows \$1,000,000 of federal income tax withholding. In actuality, Blanchett was only paid \$2,098 in wages from Bridges and no income tax was withheld.

18. The second Form W-2 for Blanchett reflected the employer as Sizzling Platter, LLC located at 348 East Winchester, Suite 200, Murray, UT 84107. Box 1 showed wages of \$1,399; Box 2 shows \$0 of federal income tax withholding. This Form W-2 was accurate.

19. Based on Blanchett’s submission of the Form 1040, falsely representing that \$1,000,000 in taxes had been withheld, the U.S. Treasury issued check number 403808854305, made payable to Blanchett, for \$980,000.

20. Blanchett deposited the U.S. Treasury check into two SunTrust accounts: \$979,000 was deposited into SunTrust account 1000195178776 and \$1,000 was deposited into SunTrust account 1000208234376.

21. After having frozen the funds for suspected fraud, on May 16, 2018, SunTrust mailed a closing letter to Blanchett with cashier's check number 16581477, in the amount of \$980,000.

22. Blanchett opened Grow Financial Money Market Account Number 0001022160558 by depositing a cashier's check from SunTrust Bank in the amount of \$980,000 on or about July 27, 2018. Blanchett falsely represented to Grow Financial that the funds were from the estate of his deceased father.

23. On or about August 8, 2018, Blanchett transferred \$50,000 from the Grow Financial Money Market Account to his Grow Financial Savings Account (account number 002216055) and transferred \$20,000 from the Grow Financial Money Market Account to his Grow Financial Checking Account (account number 0001522160553). Later that same day, Blanchett transferred \$30,000 from Savings Account Number 002216055 to Checking Account Number 0001522160553.

24. On or about August 9, 2018, Blanchett transferred \$200,000 from his Grow Financial Money Market Account to Saving Account Number 002216055.

25. Blanchett later withdrew \$49,117.59 in the form of a cashier's check from Grow Financial Checking Account Number 0001522160553, and on August 9, 2018, used those funds to purchase the 2016 silver Lexus RC350.

26. IRS-CI seized the 2016 Lexus RC 350, pursuant to a federal seizure warrant.

27. On August 21, 2018, Grow Financial issued to IRS-CI a cashier's check for the remaining balance of the funds in Blanchett's accounts, which totaled \$919,251.94, pursuant to a federal seizure warrant.

28. On August 9, 2018, Blanchett obtained car insurance for the silver Lexus RC 350 from Progressive Insurance. The \$1,452 policy premium was paid from Checking Account Number 0001522160553. Once Blanchett no longer had possession of a vehicle, it appears that he cancelled the car insurance policy and Progressive Insurance refunded him the remainder of the premium. On November 1, 2018, the \$809.94 Progressive Insurance refund was credited to Blanchett's Grow Financial Checking Account.

29. Based on the foregoing, probable cause exists to believe that the Defendant Assets are subject to forfeiture to the United States under 18 U.S.C. § 981(a)(1)(C) as proceeds of wire fraud in violation of 18 U.S.C. § 1343.

CONCLUSION

30. As required by Supplemental Rule G(2)(f), the facts set forth herein support a reasonable belief that the government will be able to meet its burden of proof at trial.

Dated: January 18, 2019

Respectfully submitted,

MARIA CHAPA LOPEZ
United States Attorney

By:



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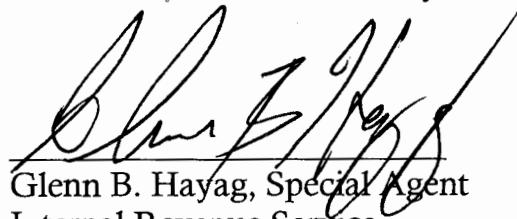
VERIFICATION

I, Glenn B, Hayag, hereby verify and declare under penalty of perjury, that I am a Special Agent with the Internal Revenue Service, Criminal Investigation (IRS-CI), and pursuant to 28 U.S.C. § 1746, that I have read the foregoing Verified Complaint for Forfeiture *in Rem* and know the contents thereof, and that the matters contained in the Verified Complaint are true to my own knowledge and belief.

The sources of my knowledge and information and the grounds of my belief are the official files and records of the United States, information supplied to me by other law enforcement officers, as well as my investigation of this case together with other IRS Special Agents.

I hereby verify and declare under penalty of perjury that the foregoing is true and correct.

Executed this 18th day of January, 2019.



Glenn B. Hayag, Special Agent
Internal Revenue Service,
Criminal Investigations

CIVIL COVER SHEET

This JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

UNITED STATES OF AMERICA

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

James A. Muench, AUSA
United States Attorney's Office
400 N. Tampa Street, Suite 3200
Tampa, FL 33602
(813) 274-6000

DEFENDANTS

\$919,251.94 SEIZED FROM THREE GROW FINANCIAL CREDIT UNION ACCOUNTS, A 2016 SILVER LEXUS RC 350, AND APPROXIMATELY \$809.94 HELD IN GROW FINANCIAL CREDIT UNION ACCOUNT 0001522160553

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

II. BASIS OF JURISDICTION (PLACE AN "X" IN ONE BOX ONLY)

<input checked="" type="checkbox"/> 1 U.S. Government Plaintiff	<input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)
<input type="checkbox"/> 2 U.S. Government	<input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in one box for plaintiff and one box for defendant)

	PTF	DEF	PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1 Incorporated or Principal Place of Business in This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2 Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen of Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3 Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (PLACE AN "X" IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment <input type="checkbox"/> 151 & Enforcement of Judgment <input type="checkbox"/> Medicare Act <input type="checkbox"/> Recovery of Defaulted Student loans (Excl. Veterans) <input type="checkbox"/> 160 Recovery of Overpayment <input type="checkbox"/> 190 of Veteran's Benefits <input type="checkbox"/> 195 Stockholders' Suits Other Contract Contract Product Liability <input type="checkbox"/> 210 REAL PROPERTY <input type="checkbox"/> 220 <input type="checkbox"/> 230 Land condemnation <input type="checkbox"/> 240 Foreclosure <input type="checkbox"/> 245 Rent Lease & Ejectment <input type="checkbox"/> 290 Torts to Land Tort Product Liability All Other Real Property	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/ Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence HABEAS CORPUS: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 <input type="checkbox"/> 640 Liquor Laws <input type="checkbox"/> 650 R.R. & Truck <input type="checkbox"/> 660 Airline Regs. Occupation Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act SOCIAL SECURITY <input type="checkbox"/> 740 <input type="checkbox"/> 790 Railway Labor Act Other Labor Litigation Empl. Ret. Inc. Security Act FEDERAL TAX SUITS <input type="checkbox"/> 791 <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 422 Appeal 28 USC158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609 OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/ Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions

V. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

Appeal to District

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from another district (specify) _____	<input type="checkbox"/> 6 Multidistrict Litigation	<input type="checkbox"/> 7 Judge from Magistrate Judgment
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VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)

GOVERNMENT SEEKS FORFEITURE PURSUANT TO TITLE 21, UNITED STATES CODE, SECTION 881(a)(6)

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DEMAND \$
JURY DEMAND YES NO
CHECK YES only if demanded in complaint:**VIII. RELATED CASE(S) IF ANY** (See Instructions):
Case No. 8:18-MJ-1763-T-AAS and 8:18-MJ-1764-T-AASDATE
0/18/19SIGNATURE OF ATTORNEY OF RECORD
s/James A. Muench

FOR OFFICE USE ONLY

JAMES A. MUENCH, ASSISTANT U.S. ATTORNEY

RECEIPT # _____ AMOUNT _____ APPLYING IFFP _____ JUDGE _____ MAG. JUDGE _____